

**TOWNSHIP OF WEST ORANGE, ESSEX COUNTY, NEW JERSEY
BOARD OF ALCOHOLIC BEVERAGE CONTROL**

WHEREAS, LUX 123, LLC t/a South Valley BBQ & Lounge, located at 34 South Valley Road, West Orange, New Jersey, 07052, is the holder of Plenary Retail Consumption License No. 0722-33-009-012; and

WHEREAS, an application has been filed by LUX 123, LLC, t/a t/a South Valley BBQ & Lounge for renewal of its Plenary Retail Consumption License # 0722-33-009-012, for the period **July 1, 2024 through June 30, 2025**, the Application submitted to the Township Clerk and in compliance with New Jersey State Laws regulating the sale, consumption, and distribution of alcoholic beverages; and

WHEREAS, formerly Suzy Que's had made application for an Extension of Licensed Premise to add an outdoor food and beverage service area at the rear of the current location and to accomplish that Extension applied for a Place-to-Place transfer of the abovementioned license; and

WHEREAS, a public hearing was conducted at the regular West Orange Township ABC Board meeting on June 12, 2012, no one appeared in opposition and the Police Department's investigation did not raise any concerns, the Department approving of the transfer; and

WHEREAS, the Applicant and the Attorney for the applicant, Robert C. Williams, Esq., were present and responded to questions from the Council; and

WHEREAS, the Council expressed concern about creation of excess noise due to amplified music in or about the vicinity of the expansion, the proposed outdoor patio area where dining and alcoholic beverage service would be available, and to address that concern the Board would approve the expansion of licensed premises and place to place transfer only if subject to the Special Condition that there will be no amplified outside music after 10:00 p.m.; and

WHEREAS, the Township Council of the Township of West Orange, sitting as the West Orange Township ABC Board, approved of the Extension of Licensed Premise and Place to Place transfer of License No. 0722-33-009-012, held by SUZYQUE’S LLC t/a SuzyQue’s, Licensee, located at 34 South Valley Road, West Orange, New Jersey 07052, subject to the Special Condition pursuant to *N.J.S.A. 33:1-32*, that no amplified outside music shall be permitted after 10:00 p.m., all as evidenced and set forth in Resolution #483-12, adopted on June 12, 2012; and

WHEREAS, on June 12, 2012, the Township Council of the Township of West Orange, Sitting as the West Orange Township ABC Board, approved the renewal of the Plenary Retail Consumption License No. 0722-33-009-012, held by SUZYQUE’S LLC t/a SuzyQue’s, Licensee, located at 34 South Valley Road, West Orange, New Jersey 07052, for the License Term July 1, 2012 to June 30, 2013, subject to the Special Condition pursuant to *N.J.S.A. 33:1-32* that no amplified outside music shall be permitted after 10:00 p.m., there being no objection on the part of the Licensee to such Special Condition, and the same Special Condition having been deemed necessary and appropriate by the ABC Board, and having been consented by the Licensee in the succeeding License terms to date; and

WHEREAS, by letter dated and sent via certified mail, registered return receipt to the Licensee on **May 22, 2024**, the Licensee was notified of the Township ABC Board’s intention to continue the same Special Conditions upon renewal for the **2024-2025** License Term and offering a formal hearing in the event there was objection to same by the Licensee; and

WHEREAS, the Licensee has offered no objection and therefore by its inaction has consented to continuation of the same Special Conditions upon renewal; and

WHEREAS, the Licensee has one pending ABC violation charge as follows:

Violation #1: On April 5, 2018, you allowed, permitted or suffered on or about the licensed premises, a brawl, act or violence and/or disturbance in violation of N.J.A.C. 13:2-23.6(a)(2); Recommended Penalty: 1st Offense= 30-day suspension; and

WHEREAS, a hearing on that pending charge can be scheduled at the discretion of the

ABC Board and the Municipal ABC Prosecutor.

NOW THEREFORE BE IT, AND IT HEREBY IS, RESOLVED, by the Township Council of the Township of West Orange, sitting as the West Orange Township ABC Board, hereby approves of the renewal of the Plenary Retail Consumption License No. 0722-33-009-012, held by LUX 123, LLC t/a South Valley BBQ & Lounge, Licensee, located at 34 South Valley Road, West Orange, New Jersey 07052, for the License Term **July 1, 2024 through June 30, 2025**, subject to the Special Condition pursuant to *N.J.S.A. 33:1-32*, that no amplified outside music shall be permitted after 10:00 p.m., there being no objection on the part of the Licensee to such Special Condition.

AND BE IT FURTHER RESOLVED, that a copy of this Resolution shall be provided to the Director of the Division of Alcoholic Beverage Control of the State of New Jersey and shall be maintained in the Township's permanent Alcoholic Beverage Control records, and that the Director is, and hereby is, respectfully requested to grant his approval to the foregoing Special Conditions as required by statute, and to communicate that approval to the Township of West Orange, which approval shall then also be maintained in the Township's permanent ABC records;

The above Resolution was passed by the Township Council of the Township of West Orange sitting and serving as the West Orange Board of Alcoholic Beverage Control at their regular meeting held on **June 10, 2024**.

**Karen J. Carnevale, R.M.C., Municipal Clerk
and Secretary to the ABC Board**

**Bill Rutherford, Council President
and ABC Board Chairman**

**Adopted: June 10, 2024
Effective: June 10, 2024**